

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CRIMINAL ACTION NO. |
| |) | 2:09cr155-MHT |
| WILLY JOE MELGAREJO |) | (WO) |

OPINION AND ORDER

Defendant Willy Joe Melgarejo submitted a motion pursuant to 18 U.S.C. § 3145(c), requesting that he be released from custody and allowed to self-surrender at a facility to be designated by the Bureau of Prisons at a later date (doc. no. 249). Melgarejo was sentenced to a term of 46 months by this court on April 1, 2010, and was immediately rendered to the custody of the U.S. Marshals. Under 18 U.S.C. 3145(c), the court may order the temporary release of a person subject to detention upon finding "exceptional reasons why such person's detention would not be appropriate."

The court is sympathetic to Melgarejo's family circumstances, and particularly to the plight of his 13-year-old daughter, who was allegedly inappropriately

molested by a family member. However, as it appears that Melgarejo's daughter is currently in the able care of her mother, and Melgarejo's wife, there exist no "exceptional reasons" recommending that this court release Melgarejo as he awaits designation.

Accordingly, it is ORDERED that defendant Willy Joe Melgarejo's motion to self surrender (doc. no. 249) is denied.

It is further ORDERED that defendant Melgarejo's motion to seal (doc. no. 249) is granted.

DONE, this the 19th day of April, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE